

PATENT
Atty. Dkt. No. ROC920010003US1
MPS Ref. No.: IBMK10003

REMARKS

This is intended as a full and complete response to the Office Action dated December 21, 2004, having a shortened statutory period for response set to expire on March 21, 2005. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the title has been amended to correct a minor typographical error. Paragraphs 1, 23, 26, 37, and 49 have also been amended to correct minor typographical errors.

Claims 1-46 are pending in the application. Claims 1-46 remain pending following entry of this response. Claims 1 and 24 have been amended. Applicant submits that the amendments do not introduce new matter.

Claim Rejections - 35 U.S.C. § 112

Claims 1-11 and 24-34 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserts:

- a. the limitation "the results" (claim 1, line 15 and claim 24, line 10) lacks antecedent basis; and
- b. dependent claims 2-11 and 25-34 are rejected for fully incorporating the deficiencies of their base claims.

In response, Applicant amends claim 1 and 24 to address the Examiner's rejection. Specifically, Applicant amends the limitation "transmitting the results of the function to the local node" to recite "transmitting a result for the function to the local node".

Applicant submits that these amendments address the Examiner's rejection. Further, Applicant submits that these amendments do not introduce new matter, and that the amendments were made to address the Examiner's §112 rejection and not to overcome a prior art rejection, and as such, Applicant submits that the claims are entitled to their full equivalents. Reconsideration of the rejection is respectfully requested.

Page 13

347489_1

PATENT
Atty. Dkt No. ROC920010003US1
MPS Ref. No.: IBMK10003

Claim Rejections - 35 U.S.C. § 103

Claims 12, 13, 22-26, 28-32, 34-36, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang et al.* (U.S. 6,708,223 B1, hereinafter *Wang*). Respectfully, Applicant traverses the rejection.

Regarding Claims 12, 24, and 35, the Examiner asserts that *Wang* discloses: calling a route function configured to generate a flattened pure value buffer containing parametric function-related data. To support the assertion, the Examiner cites *Wang*, 2:44-46 and Figure 2. The cited passage provides: "To perform this communication, the proxy marshals the call parameters into an RPC buffer, from which they are transferred across the network", and Figure 2 illustrates client and server computer systems in communication over a network.

Wang discloses a method for improving the performance of a distributed object model over a network. *Wang*, Abstract. The method improves techniques used by the distributed component object model. Distributed Component Object Model (DCOM) is a proprietary technology developed by Microsoft Corporation allowing software components distributed across several networked computers to communicate using remote procedure calls (RPC).

Before being transmitted from a DCOM client to a DCOM server, function arguments are marshaled. Marshalling (also commonly referred to as serialization) involves taking a data structure or object and encoding it in form suitable for transmission across a network. Typically, marshalling encodes multiple objects into a linear byte sequence. As disclosed by *Wang*, "the marshalling layer first determines the required size of the RPC buffer for holding all marshaled data and the DCOM header, and requests such a buffer." Wang 8:58-60. Thus, *Wang* fails to disclose generating a flattened pure value buffer. Quite the opposite, *Wang* contemplates a buffer with a size determined by the size of the parameters being marshaled, without any flattening.

Moreover, to the extent *Wang* discloses modifying the DCOM marshalling process, it "contemplates a direct marshalling which stores only a list of pointers to the

PATENT
Atty. Dkt. No. ROC920010003US1
MPS Ref. No.: IBMK10003

memory locations of the data ... in the RPC buffer." *Wang*, 8:58-60. The invention disclosed by *Wang* relies on the operations of a network interface card to retrieve actual data values from memory for transmission to the DCOM RPC stub running on a server. *Wang*, 10:3-9. Applicant, however, claims a "flattened pure value buffer" in which the buffer contains data values, not pointers. Thus, by disclosing including only pointers (i.e., *not* data values) *Wang* teaches away from the claimed method of generating a flattened pure value buffer that contains purely data values. Accordingly, *Wang* fails to teach or suggest all elements of the claimed invention, and therefore, Applicant respectfully suggests that the Examiner withdraw the objection.

Claims 13, 22, 23, 25, 26, 28-32, 34, 36, and 45 each depend from one of claims 12, 24, or 35. Because *Wang* fails to disclose generating a flattened pure value buffer, as claimed in independent claims 12, 24, or 35, Applicant asserts that the rejection of these claims is obviated without the need for further comment.

Therefore, Applicant submits that claims 12, 13, 22-26, 28-32, 34-36, and 45 are patentable over *Wang*. Withdrawal of the rejection is respectfully requested.

Claims 20, 21, 27, 33, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang* in view of *Pettus* (U.S. 6,223,217 B1). Claims 20, 21, 27, 33, 43 and 44 depend from one claims 12, 24, or 35. Applicant submits that because *Wang*, for the reasons stated above, fails to teach the claimed invention, the rejection of claims 20, 21, 27, 33, 43 and 44 is obviated without the need for further remarks by Applicant. Withdrawal of the rejection is respectfully requested.

Claims 1-9, 11, 14-19 and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang* in view of *Shakib et al.* (U.S. 6,321,274 B1, hereinafter *Shakib*).

Respectfully, Applicant traverses this rejection. Claim 1 includes a limitation for "generating a descriptive data structure for parametric function-related data; generating a pure value buffer derived form the parametric function related data; and flattening the parametric function related data and the pure value data into a bundle." For the same

PATENT
Atty. Dkt. No. ROC920010003US1
MPS Ref. No.: IBMK10003

reasons described above, *Wang* fails to disclose generating a pure value buffer, and further, teaches away from doing so by teaching the use of a pointer-only buffer.

Further, the Examiner concedes that *Wang* "does not explicitly teach a bundle," but asserts that *Shakib* teaches "a bundle" (e.g., bundles the RPCs before sending them to server process; col. 3, lines 45-49). As evidenced by the Examiner's description, *Shakib* discloses a technique for bundling multiple RPC calls into a single call. That is, multiple RPC calls are used to form "a bundle" of RPC calls. Applicant, however, does not claim simply "a bundle," or claim bundling a plurality of RPC function calls. Rather, Applicant claims: "flattening the parametric function-related data and the pure value buffer into a bundle." By reducing an entire claim limitation down to a single word (bundle) the Examiner improperly disregards the patentable weight of the other relevant recitations in the claim, case, e.g., the components used to form the bundle. Accordingly, Applicant respectfully submits that the rejection is improper and requests that the Examiner withdraw the objection.

Therefore, Applicant submits that claims 1-9, 11, 14-19 and 37-42 are patentable over *Wang* in view of *Shakib*. Withdrawal of the rejection is respectfully requested.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang* in view of *Shakib* as applied to claims 1, 7, and 8 above and further in view of *Pettus*.

Respectfully, Applicant traverses this rejection. Claims 10 is a dependent claim, depending from claim 1. Applicant submits that because *Wang* fails to teach the limitations of claim 1, for the reasons stated above, the rejection of claim 10 is obviated without the need for further remarks by Applicant. Withdrawal of the rejection is respectfully requested.

Conclusion

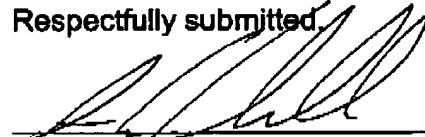
The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a

PATENT
Atty. Dkt. No. ROC920010003US1
MPS Ref. No.: IBMK10003

detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



Gero G. McClellan
Registration No. 44,227
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant

Page 17

347489_1